

**BOROUGH OF WIND GAP
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WIND GAP, PA 18091
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The Council meeting of the Borough of Wind Gap on Tuesday, September 20, 2022 was called to order at 7:00 p.m. by President George Hinton, at which time he reminded those present that the meeting was being recorded. In attendance were Council members Steve Bender, Dave Manzo, and Patrick Webber. Also, in attendance were Mayor Wesley J. Smith, Borough Solicitor Ronald Karasek, Borough Engineer Brian Pysher, and Borough Manager Louise Firestone. Absent were Councilmen Alex Cortezzo, D. Hess, and Jeff Yob.

PUBLIC COMMENT

1. Adrienne Fors, Waste Management reported that she wanted to thank Rich and his crew for their help today. Around 12:00 p.m. today, a rear load garbage truck dropped trash on 512 from the monument up to the old church. Waste Management crews immediately began cleaning up the mess with the support of Wind Gap Street Department helping direct traffic and Slate Belt Regional Police Department and the Pen Argyl Fire Department. The crew had the street cleaned up by 1:15 p.m. with traffic resuming as normal. Rapid Response came out by 2:00 p.m. to sweep the road. As is protocol this incident was reported to PA DEP.

Adrienne gave an update on current project activity at the landfill. She stated that the Chili Cookoff is scheduled for Saturday, October 8th from 11:00 a.m. to 2:00 p.m.

APPROVAL OF MINUTES

On motion by Dave Manzo to approve the September 6, 2022 minutes and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

NEW BUSINESS

1. Wind Gap Municipal Authority – Personnel Update - George Hinton reported that Monica Harrison, Administrator of the Wind Gap Municipal Authority, has submitted her resignation letter stating that her last day will be October 1, 2022. The Wind Gap Municipal Authority Board President, Randy Yordy, has asked if the borough could provide any assistance during their period of transition. They will reimburse the borough for any time used during the interim. The WGMA has advertised for the position, but the quarterly billing is due to be sent out in the mail next week. They will need someone to open the mail and answer the phone. Attorney Karasek said that this is an emergency situation, but if this is something to be done on a regular basis, we would need to enter into an Inter-Municipal Agreement with the Municipal Authority to allow borough personnel to assist at the office. Once an agreement is drafted it would have to be approved and adopted as an Ordinance. This can be further discussed at a later date.

On motion by Dave Manzo to allow Debra Harbison to be allowed to assist at the Wind Gap Municipal Authority office for a total of 20 hours next week and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

2. Waste Management – Plan of Action Discussion. George Hinton asked if Council had a chance to review the proposed Amendment to the Neighboring Municipal Agreement and if there was any questions or concerns to be discussed. There was no further discussion. The Amendment includes the following language:

WM Contribution: Section 5(f) is hereby added to read as follows:

“(f) Waste Management will increase the contribution to \$1.20 per ton of waste disposed of at the GCSL facility from September 1, 2022 and continuing thereafter unless and until a change in this Agreement is mutually negotiated by Waste Management and Wind Gap.”

Wind Gap Support: Section 7 is hereby added to read as follows:

“7. In consideration of Waste Management’s contribution as set forth in Section 5(f) of this Agreement and the other benefits set forth herein, Wind Gap agrees that it will actively support and will not oppose or obstruct, either directly or indirectly, the lawful activities or projects conducted at GCSL, current or proposed, and any future rezoning or landfill expansion applications and/or permit amendments submitted by Waste Management or its affiliates to the appropriate Local, State and Federal regulatory authorities related to GCSL’s landfill, recycling, renewable energy and waste diversion strategies. This excludes any biosolids processing projects, which GCSL has committed not to pursue with other municipal entities, including Plainfield Township.”

On motion by Steve Bender to accept the agreement as it is written and seconded by Dave Manzo. Roll call vote taken. Council agreed unanimously.

OLD BUSINESS

1. T. Klump – Third St. Land Development Improvements Agreement Approval

On motion by Steve Bender to approve the Land Development Agreement on condition that we do not need another quantity and cost estimate as reviewed by the Borough Engineer and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

2. T. Klump – Third St. Easement Agreement Approval

On motion by Steve Bender to approve the Third Street Easement Agreement and seconded by Patrick Webber. Roll call vote taken. Council agreed unanimously.

3. Slate Belt Regional Police Charter Agreement Discussion – Approval to Advertise

On motion by Dave Manzo to approve to advertise the Slate Belt Regional Police Charter Agreement and seconded by Steve Bender. Roll call taken. Council agreed unanimously.

4. Update 241 South Broadway – Taste of Nature - George Hinton reported that Brian Pysher, himself, and the Zoning Officer met at the location. The owner of the Taste of Nature said that since the owner of the Fresh Hill Market put down stone and tables on the side of his property, she is having water problems. The owner of Fresh Hills Market offered to put a drain in to get the water away from her property/building. He has not installed it yet, but is planning on doing this shortly. George Hinton said that there appears to be a property line dispute going on.

5. Municipal Property Paving Project – Update UGI - Brian Pysher reported that he is working with UGI. He has to get information on the loads of the municipal building and the maintenance garage, fill out an application, return it to UGI and then set up an onsite meeting. Once that is complete UGI will give an estimate on the cost to the borough to connect to the gas line. The service can be run from the street to service the new building the question is how do we get it into the Municipal Building. He spoke with Strows Plumbing and Heating, they suggested the possibility of utilizing the existing propane line, removing the tank and hooking on right there. Unfortunately, since the propane lines were installed, we installed the concrete aprons on both sides so it makes connecting to the building more of a challenge.

Brian reported that he did talk with Mike Goffredo regarding lighting the back parking area in the access easement. He will follow-up tomorrow to set up a meeting with him.

ZONING OFFICER'S REPORT

Suzanne Borzak reported that the bank building on the corner of Center and Broadway was sold. Keenhold's property on 8th Street is under agreement which then would allow the removal of the trailers off of the property on North Broadway.

Steve Bender asked Suzanne how Mr. Smith made out at the Zoning Hearing Board meeting. Suzanne said that the hearing was not held as Mr. Smith requested a continuance. His attorney thinks the Borough will change the ordinance so they keep asking for continuances. Unfortunately, the office continues to get complaints regarding his rooster. There is nothing in the ordinance and the rooster has to stay because of the appeal. There were two residents that got notices regarding chickens. One had just had a baby and we said we would give them time but it has been two months now. She does not know if Council is considering changing the ordinance but her opinion is she does not think the Borough needs chickens, the lots are not big enough. George said that he received a complaint that there is a rooster on Third Street. Suzanne to provide Council with suggestive language to include in a zoning ordinance amendment.

Attorney Karasek asked what the issue is on Broadway regarding a notice. George Hinton informed that there is a weed issue throughout the Borough and several letters were sent out to address those properties. The property on North Broadway belongs to Fannie Mae and they forwarded the notice to the individual living in the house and unfortunately, the resident contacted all of Council to express her displeasure.

Suzanne reported that there is a Zoning Hearing Board meeting scheduled for October 13th for two cases. One case is 29 Mechanic Street, the old borough buildings, after the developer attends the Planning Commission meeting on October 6, 2022. The owner of 246 South Broadway has an adjacent vacant lot and filled out a zoning permit to put a fence around it, but according to the Zoning Ordinance a fence cannot be put on a vacant lot so he is requesting a variance be granted.

Pete Albanese asked if he needed anything to install privacy fences, Suzanne said he would need a permit.

COMMITTEE REPORT

A written committee report was provided to Mayor Smith and Council.

Louise Firestone reported that the 06 GMC, needs a new fuel tank. Rich Fox originally took the truck to PVT, but they have not been able to find a tank so Rich has been searching on-line and called every dealership to find a tank. The only one that they could find is in Michigan and cost \$5,000. Rich asked if Council would approve the purchase of that tank or if

anyone has a suggestion on how to get a new tank, new straps and a new pump prior to the winter season.

Louise Firestone reported that we received an e-mail from PennDOT, because of the fatality rate within the State of Pennsylvania, the Federal Government mandates making intersections safe by installing pedestrian crosswalks. PennDOT has identified two locations within the Borough, the intersection at South Broadway and Male Road and the intersection at South Broadway and Third Street. The project would include installing visual pedestrian countdown clocks at both intersections with the work being performed by PennDOT at no cost to the Borough. PennDOT requested confirmation from the Borough that we are agreeable to this project at both intersections. These projects must be completed by the fall of 2025.

On motion by Dave Manzo to give Louise Firestone permission to contact PennDOT and seconded by Patrick Webber. Roll call taken. Council agreed unanimously.


Louise Firestone said that she would like to explain the LSA Grants received by the Borough for the Wind Gap Volunteer Fire Company truck since it has become a topic of ongoing discussion. The Local Share Account (LSA) grants have open applications each year, so last year during the application period, Council gave Louise their approval to apply to Monroe County and Northampton County asking for funding for a new pumper truck which had a quote well over \$700,000. Monroe County granted the Fire Company roughly \$38,000 and Northampton County granted the Fire Company roughly \$416,000. The cost estimate that was submitted along with the grant application was based on the purchase of a new pumper truck. The grant awards were announced in May of this year, but the contract documents were not executed and the Fire Company took delivery of a spec pumper truck in May prior to the contract effective date. As a follow up, she contacted both counties and they verbally confirmed that once acceptance of the vehicle delivery took place, the funding was not valid on that pumper truck. Consequently, the Fire Company was informed that the pumper truck would not qualify to use any grant funds toward that truck purchase. In order to try to use the grant funds they decided to gather information on the purchase of another truck. The Fire Company contacted State Representative Ann Flood to inquiry if they could amend the grant application from a pumper truck to a ladder truck, as she was instrumental in getting the grants approved in the first place. Representative Flood wrote a support letter to the Commonwealth Financing Authority (CFA) which is part of PA DCED on behalf of the Fire Company and was recently informed that the grant funding could be amended in the contract to allow for the purchase of a ladder truck. The Fire Company provided all their financial documents to the truck financing company and they were approved based on their own finances.

Mayor Smith's Report

Mayor Smith reported that he and his wife had the opportunity to visit Walden III last week. They met with the residents, staff, administrator, and owners. They are making improvements to that facility. Regarding the COG there is nothing new to report. Their next meeting is scheduled for Wednesday, September 28, 2022.

ADJOURNMENT

On motion by Dave Manzo to adjourn the meeting of September 20, 2022. Council agreed unanimously. The meeting of September 20, 2022 adjourned at 8:00 p.m.


Louise Firestone, Borough Manager